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THE FIRST PARLIAMENTARY ELECTIONS IN LOWER CANADA

By
THE HON. E. FABRE SURVEYER
*Justice of the Superior Court
Province of Quebec*



LOUIS CARRIER
At the MERCURY PRESS
MONTREAL

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THIS monograph is based on the author's Presidential Address before the St. James Literary Society of Montreal, delivered at the opening of its twenty-ninth annual session, October 5, 1926. The address was first published as an article in the *Supplement to the McGill News* of March, 1927.

The French version of this monograph on the first parliamentary elections of Lower Canada will form a chapter in a complete study of the political history of the period by Mr. Justice Surveyer to be published in the spring of 1928 by Louis Carrier under the title of *Le Premier Parlement du Bas-Canada 1792-96*. The work will contain, in addition to a review of the events which led up to the establishment of an elective assembly and a study of the work of the first parliament, biographical sketches of all members of the Assembly, of members of the Legislative Council, and of governmental officials. The volume will have numerous illustrations, and will be an 8-vo. in format.

CETTE monographie est tirée de l'adresse présidentielle de l'auteur, lue devant la *St. James Literary Society* de Montréal à l'ouverture de sa vingt-neuvième session annuelle, le 5 octobre 1926. Cette adresse, en premier lieu, a paru comme article dans le *Supplement to the McGill News* de mars 1927.

La version française de cette plaquette sur les élections du premier parlement du Bas-Canada forme un chapitre d'une étude complète de l'histoire politique de cette période par M. le juge Surveyer. Cette étude sera publiée au printemps de 1928 par Louis Carrier et portera pour titre *Le Premier Parlement du Bas-Canada 1792-96*. L'ouvrage comprendra, outre une revue des événements qui ont amené l'établissement d'une assemblée législative et une étude de l'œuvre accomplie par le premier parlement, des esquisses biographiques de tous les membres de l'Assemblée, des membres du Conseil Législatif et des officiers gouvernementaux. Le volume sera illustré de nombreuses gravures et sera de format in-8.

THE FIRST PARLIAMENTARY ELECTIONS IN LOWER CANADA

*A chapter in the history of the first elective institution
of French Canada*

THE Quebec Act, passed in 1774, has been called the *Magna charta* of this country. It was, on the whole, a great step towards giving its inhabitants political rights: but, for reasons which we need not examine here, it created no elective assembly, and gave no voting power. The newcomers from England, accustomed to parliamentary institutions, began to agitate, both to obtain an elective assembly and to secure the introduction in this country of English laws, particularly in commercial matters.

In 1784, a petition to His Majesty was signed by five hundred subjects, a few of whom were of French origin, this being the first act due to the collaboration of the two races in this country. It prayed, among other things, "that Your Majesty will be pleased to concur in establishing your affectionate subjects of this Province, in the full enjoyment of their civil rights as British subjects; and in granting them a free, elective House of Assembly . . . to be composed of Your Majesty's old and new subjects, in such manner as to Your Majesty's Wisdom may seem most proper." . . . (1).

The petition was accompanied by suggestions for the proposed House of Assembly. It was not unopposed, and as early as 1784 a document was prepared criticizing most of the requests of the petition and of the suggestions accompanying it, particularly with regard to the possibility of electing old and new subjects indifferently. The counter-petition was sent to the Governor, but does not appear to have been forwarded by him to London. Similar representations were made to the King in October, 1788, signed by practically all the nobles and *seigneurs* and a large number of prominent French-Canadians. Very few English names appear on that document, these being names of land owners. The opposition to the House of Assembly was inspired by the fear of losing French property laws. The signatories of the counter-petition were satisfied with government by a Legislative Council, provided the same was composed proportionately of old and new subjects.

In the meantime, the House of Commons had rejected, in 1786, a bill presented by Mr. Powys, a member of the opposition, to amend the constitution of the Province of Quebec. In 1788, Mr. Powys moved and obtained that Mr. Adam Lymburner, a Quebec merchant, representing a substantial proportion of the population of French as well as of English origin, be heard at the Bar of the House, and after the debate which ensued, Mr. Powys proposed that Quebec's request be taken into consideration at the beginning of the following session.

Finally, on June 10th, 1791, the Constitutional Act received the royal sanction. This is not the place to recall the discussions to which it gave rise,

(1) See *Canada and its provinces*, vol. 3, p. 121. As a matter of fact, there was another similar petition in French, signed exclusively by French-Canadians.

as they have been referred to by our historians. Let us merely summarize its main provisions regarding elections.

The Act—against Lord Dorchester's suggestion—divided the then Province of Quebec into Upper and Lower Canada, each having a Legislative Council and a Legislative Assembly. The Council not being elective, we will deal only with the Legislative Assembly of Lower Canada.

His Majesty was empowered to authorize and direct the Governor or Lieutenant-Governor to summon and call together an Assembly, and, for the purpose of electing members, to issue a proclamation dividing the Province into districts, or counties, or circles, and towns or townships, and appointing the limits thereof, and declaring and appointing the number of representatives to be chosen by each riding, to name returning officers, and fix the time and place for holding elections. The whole number of members to be chosen in Lower Canada was not to be less than fifty. Pitt, when presenting the bill, had limited the number to thirty; Fox had proposed one hundred as a minimum: the number of fifty was the result of a compromise. It remained unchanged until the redistribution of 1829, which raised it to 84, a figure that was cut in half at the time of Union. The British North America Act fixed it at 65 for Federal purposes, a number which has been slightly increased since in the Legislature of Quebec.

No person could be either a voter or a candidate who was not of the full age of twenty-one years, and a natural born subject of His Majesty, or a subject of His Majesty naturalized by Act of the British Parliament, or a subject of His Majesty having become such by the conquest and cession of the Province of Canada,—or who had been attainted for treason or felony in any Court of law within any of His Majesty's dominions, or who was within any description of persons disqualified by any Act of the Legislative Council and Assembly, assented to by His Majesty.

The representation made in 1784 "that none but males shall either vote or represent" was apparently not acted upon, and it is well known that Madame Joseph Papineau cast her vote for her son, declaring that she was doing so "because she had confidence in him."

The property qualification of voters varied according to whether the constituency was a district, county or circle on the one hand or a town or township on the other. In the first case, voters had to hold land of the yearly value of forty shillings sterling; in the second, it was sufficient for them to be possessed, for their own use and benefit, of a dwelling of a yearly value of five pounds sterling. It was even sufficient to have resided in the riding for twelve months, and have paid one year's rent at the rate of ten pounds sterling per annum. Town members were selected from citizens; county members, from "knights girt with sword."

The only grounds of disqualification of members were holding office in the Legislative Council or being a minister of any religion. Efforts were made later on to disqualify members—or even Legislative councillors—who were alleged not to be naturalized; but such efforts were abandoned.

Such were the provisions of the Constitutional Act regarding elections. They were repeated, with little change of expression, in Lord Dorchester's commission and instructions.

In the absence of Lord Dorchester, it became incumbent upon Sir Alured Clarke, Lieutenant-Governor of Lower Canada, to issue a proclamation dividing the Province into electoral ridings. There were twenty-one counties and two cities; Quebec and Montreal, and two towns or boroughs, Three Rivers and William Henry (Sorel). All ridings had two representatives except the counties of Gaspé, Bedford, and Orleans, and the borough of William Henry, which sent only one. Quebec and Montreal each comprised two ridings, plus a county; therefore elected six members each. Three Rivers sent two members.

The division of Quebec into Lower Town, Upper Town, and County was not very different from what it is to-day. That of Montreal would appear very strange nowadays.

The city of Montreal was, as to-day, bounded in front by the St. Lawrence river, but in the rear it was bounded by a line parallel to the general course of the fortification walls on the rear of the town at the distance of one hundred chains from St. Lawrence gate. Its eastern boundary was one hundred chains from Quebec gate, leading to Quebec suburbs, and its western boundary one hundred chains from Recollets gate, towards St. Antoine suburbs. The rest of the Island of Montreal was Montreal County. The division line between Montreal East and Montreal West was, roughly, St. Joseph—now St. Sulpice—street.

“In making the distribution (of electoral ridings) regard was had,” says William Smith, “solely to the male population in each (riding) and without reference to the extent of the counties to be created.” The population had been calculated in 1790. According to Smith, whose statement may be doubted, the number of males above the age of sixteen was 37,411, and the Province contained 224,466 souls. It looks as though 150,000 was a *maximum* figure. (2).

However that may be, a glance at a map of the Province as it then was, divided into ridings, will show an even greater disproportion in the size of the counties than prevails to-day. It is interesting to note how some parts of the Province have grown in comparison with others. For instance, the then counties of Kent and Surrey are substantially the same as Chambly and Vercheres to-day; the Isle of Orleans and the present city of Sorel each formed a county by itself, while to-day each is only part of a county; on the other hand, the county of Huntingdon comprised all the land extending from Laprairie to the south-western boundaries of the Province, and the county of York, from Ile Perrot and Ile Bizard to the division line between the two provinces on the Ottawa river.

We may add that, strangely enough, all divisions, except Richelieu, St. Maurice, Gaspé, and Orleans counties bore English names; and, to use the words of an old writer: “Lieutenant-Governor Clarke and his Council gave English names to counties wholly inhabited by a people speaking French.” Even to-day it would be hard for a citizen of Terrebonne to pronounce Effingham, for a Berthier man to say Warwick, for a native of Ile aux Coudres to write Northumberland, and for a resident of Nicolet to spell Buckinghamshire!

The Lieutenant-Governor apparently disregarded the advice of Mr. Adam Lymburner. This gentleman had urged that in the American colonies the interest of farmers had erroneously been put above that of traders. He wanted the town representation to comprise one half of the Assembly, as follows: Quebec and Montreal, seven members each; Three Rivers, three; St. John and William Henry, two each; Boucherville, l'Assomption, Terrebonne and Beauport, one each.

"On May 24th (1792)," says Senator Chapais in his *History of Canada*, "writs were issued for the holding of our first general election. That trial of the electoral system by our people must have been an interesting sight. There were no doubt, here and there, confusion and irregularities in the working of that system still unknown to us. In some ridings parliamentary honours were warmly disputed."

Unfortunately, details of the events accompanying that first use of free institutions by our people are almost entirely missing. There were only three newspapers published in those days, the *Montreal Herald*, the files of which for that year are unobtainable, as far as is known; the *Quebec Gazette* and the *Montreal Gazette*, both of which devoted their columns almost entirely to reproducing news from England and France, contained little local news and kept aloof from elections except to publish anonymous letters and paid advertisements. It is not surprising, therefore, that our historians, who could not help mentioning the result of the elections, have said so little about the preparation therefor. The least excusable of them is William Smith, Jr., himself a defeated candidate, whose remarks on the subject have already been quoted. When we compare his silence on the subject to his verbosity on the question of the Bishop's right to divide a parish, where he cites even the pleadings in full, we feel that Smith, amongst other things, lacked a sense of values.

Let us, therefore, try and reconstruct the characteristic features of such elections.

In the first place, it seems that there were practically no election speeches, but mere circulars distributed by the candidates to the voters. Election meetings were possible in the cities and boroughs, but in large counties, with slow horses and bad roads, a candidate could hardly visit the whole of his intended constituency!

In the *Quebec Gazette* of May 17th, we find, in a letter to the electors of Quebec City and County, the following remarks:

"To the Electors of the County and City or Town of Quebec.

"Gentlemen, Friends, and Fellow Citizens,

"MONDAY the 14th instant has produced many Addresses to you in various ways from men offering themselves as candidates for your suffrages to be returned your Representative in the ensuing Assembly of the first Free and Independent Legislature that Canada has ever been blest with. Some of them come forth by advertisements in the papers, others by hand-bills, and others by personal application of their friends, commonly called canvassing. Among such a number of competitors for your votes and interest it behoves you to be very circumspect in making promises or (in the fashionable expression of our day) in committing yourselves to any of the candidates. Indeed so very wary and circumspect ought you to be on this point in the opinion of several of your fellow citizens, that they have thought it a

“prudent and praiseworthy measure thus to address you upon the present important occasion, with the sole view of putting you on your guard against surprises from any candidate, and from any quarter.

“They do therefore urge and exhort you as you regard your own interest and welfare, not to pledge or promise yourselves precipitately and inconsistently to any of the candidates or to their friends going about to ask your votes and interest, which is called canvassing; but to coolly deliberate each of you for himself in his closet, upon the importance of the choice he is about to make of a Representative, to weigh the merits, and reflect on the past conduct of that Representative.

“And for the more effectually succeeding in this exhortation the authors of this piece are ready, if necessary, to come forward as good citizens, to assist their fellow Electors in a faithful and impartial discrimination of what characters ought, and what characters ought not to represent the inhabitants of the County of Quebec, as well as the counties in general, by discrimination of characters, they mean no persons, but principles and past conduct.

“A strange coalition is reported to have taken place. We must reflect and comment upon it.—Wonders never cease.

“Quebec, Thursday, 17th May, 1792.

PROBUS.”

A letter to the same effect, containing similar anonymous offers of services, was published in the *Montreal Gazette* about the same time.

The *Herald*, which is no longer to be found, the *Quebec Gazette* and the *Montreal Gazette* contained a very limited number of advertisements: seventeen candidates advertising in the *Quebec Gazette* and twelve in the *Montreal Gazette*. Most of the notices are simple enough; others are dithyrambic. One of the candidates, for instance, states modestly: “If true patriotism, liberality of sentiment, and some knowledge of the principles of free government are titles to obtain your acceptance of my services, be assured that my wishes and endeavours will ever be for the welfare of my country and the happiness of my fellow citizens.”

“Your zealous Countryman,

PIERRE L. PANET.”

The future electors presumably indicated to Mr. Panet that they did not share his views, as he ultimately withdrew his name and sought another constituency.

A second peculiarity of the elections in those days was that the returning officer fixed the time and place thereof, and that there was only one voting place for each constituency. In 1800 a law was passed fixing two polling places, designated by statute, thereby reducing somewhat the discretion of the returning officer. In the cities of Montreal and Quebec there was only one returning officer and three different elections, and the *Montreal Gazette* of June 14th, 1792, announces at the same time the success at the polls of Messrs. Joseph Frobisher and John Richardson in the East Ward, on June 12th, and the invitation of Mr. James Dunlop, candidate in the West Ward, urging his supporters “to meet him at his house on Friday morning on the 15th instant, at eight o’clock, and to proceed from thence to the place of election.” As far as can be ascertained elections were held from the eleventh to the twenty-seventh of June.

Thirdly, the vote was open, and in some constituencies the registration of

votes lasted several days. A poll was closed, when an hour had elapsed without any vote having been registered.

Fourthly, there appeared to have been, in those days, two or more parties but on what lines they divided, especially before the election, is not easy to ascertain, unless, even at that stage, some had already manifested either sympathy, or disagreement, with the Governor or Lieutenant-Governor, and the Executive Council.

After the first vote was taken, on the choice of a speaker, the lines were somewhat more accurately drawn, between what we may call the *French nationalists* on the one side, and the English and their French associates on the other. It is interesting to note that the main reason advanced on behalf of an English speaker was that the French nominee was not bilingual, while the various English-speaking candidates proposed were declared to be so. As a matter of fact, the three English-speaking members who were proposed in succession for the position of speaker, William Grant, James McGill and Jacob Jordan, had married French-Canadian ladies. It seems, however, that if bilingualism was the main requirement, M. de Rocheblave, who had spent twenty years of his life in the United States, should have secured a unanimous vote.

Let us observe also that not only was the giving of rum to influence votes considered an act sufficient to vitiate an election, but even the distribution of cockades, or badges indicating the voter's allegiance, was shunned by the more scrupulous candidates. *Tempora mutantur, et nos mutamur in illis*. It would be foolish to say that our behaviour in election time is an improvement on that of the first voters of this country. In fact, the reverse seems to be the truth.

The result of the election gave thirty-five French-speaking and fifteen English-speaking members of the Assembly. The English representation was far greater than the proportion of English-speaking citizens warranted. Some have held, following such historians as Bibaud and Garneau, that it was a quixotic act of generosity on behalf of the French-Canadians, of which they repented later. If they did, subsequent elections did not show it, as during the twelve parliaments during which the total deputation was composed of fifty members (1792-1828), the English representation averaged thirteen, and was still ten at the election of 1824. The truth of the matter is, I believe, that French-Canadians were unfamiliar with British parliamentary institutions, and probably could not afford to spend six months at Quebec without salary or even travelling expenses. It took nearly forty years to induce members of Parliament in Lower Canada to allow themselves ten shillings per day of attendance and four shillings for each league of distance between their residence and the House of Parliament. Here again, may I say *en passant*, times have changed. Our members of Parliament now receive five times the amount of their indemnity as increased in 1888. But in those days a mandate to represent the people was not tempting. This explains why comparatively few of the members of the first Parliament sought re-election. Not only were they not paid, but they had to crave leave of absence, and a vote was taken on that demand. In 1800, Joseph Papineau refused to seek re-election, in order to devote his resources to the education of his children. He

was elected in spite of himself. In 1802, he did not attend Parliament. On the fourth of March, 1803, he was brought to the floor of the House. He had to apologize and crave leave of absence, which was only granted to him after a discussion and a vote.

The above digression illustrates the changes between the first parliament and the present one. It shows why parliamentary honours were more tempting for retired merchant princes, than for the *man in the street*.

Finally, the representatives of the Crown may have exerted some influence to secure English members. On the 3rd of January, 1793, James Monk, Attorney General, writes to Sir Evan Nepean, Under Secretary of State, that he hoped to procure him, thanks to a by-election, another English-speaking member, which he did. Returning officers also controlled the elections, to a certain extent.

This is practically all that can be found about the election of 1792 in general. Let us say a few words regarding four incidents: Montreal members, Quebec members, by-elections, and election contestations.

In those days, for reasons above stated, Montrealers were not attracted by parliamentary honours, and the following letter was published in the *Montreal Gazette*:

"Gentlemen and Fellow Citizens,

"The delicacy hitherto observed by our fellow citizens, in not tendering their services to represent us in the approaching and long wished for Assembly, induces us to take the liberty of offering to your consideration

Messieurs: James McGill

Alexander Auldjo, Joseph Frobisher, John Richardson

"As proper persons to be chosen. And as we know none better qualified to fulfil the Duties of the important trust, or in whose integrity and zeal for the true interests of the Province you can better confide we beg leave to request your votes and interest in their behalf.

(Signed) James Dunlop, Charles Blake, Jn. B. Durocher, Robert Cruickshank, William Maitland, John Bell, John McKinley, David David, P. Langan, Richard Dobie, Pierre Foretier, J. Papinault, Dumas St. Martin, J. A. Gray, John Gregory, Thomas M'Cord, Andrew McGill, John Forsyth, James Finlay."

The letter is signed by nineteen citizens, five of whom are of French origin. Amongst the signatories, one, J. B. Durocher, was elected for the West Ward of Montreal, another, J. Papineau, for the County. A third, James Dunlop, proposed himself as a candidate for the West Ward, his letter being in the following terms:

"To the free and independant electors of the City of Montreal who compose the Westerly Ward.

"Gentlemen:—

"Desirous to have the Honour of representing you in the House of Assembly, I will offer myself as a candidate at the ensuing General Election and solicit your votes, interest and support on that occasion. Should your suffrages confer such honour on me as to become one of your representatives, I pledge myself that as member of that assembly no member will be more bold to assert your rights or less afraid to protect your liberties: in short I have such confidence in myself as to hope, that I will not only merit your applause but command your esteem by every trans-action in my official capacity. I have the honour to be with the greatest respect,
"Gentlemen,

Your most obedient and very humble servant,

Montreal, May 21, 1792.

JAMES DUNLOP.

Frobisher and Richardson were elected for the East Ward of Montreal on the 12th of June. The *Montreal Gazette* records the event in the following terms:

"On Tuesday last the 12 instant came on the Election of two Representatives for the Easterly Ward of the City and Town of Montreal, when Messrs. Joseph Frobisher and John Richardson were chosen by a great majority. It is almost needless to remark that these Gentlemen from their known abilities, their character and situation in this Country, are in every respect well calculated for the important charge; men who will pay no regard to the ill-founded distinction which some prejudiced persons entertain between English and French, but be guided only by the patriotic motives of promoting the public good and the general welfare of the Country. As citizens, merchants, men of honour and integrity, they have hitherto justly obtained the public esteem and confidence, and we have every reason to believe that by their future conduct in a House of Assembly, they will demean themselves in such a manner as still to merit it."

"The greatest words of satisfaction appeared among the generality of Electors in the choice they had made, from the great conviviality and gaiety in which they spent the day in drinking to the health and prosperity of their representatives, their King and their Country."

A letter to the printer, signed "Observator," relates the scenes that followed the election:

"Mr. Printer,

"Having been present at the late election of Mr. Frobisher and Mr. Richardson, for the Easterly Ward of this town, I could not help remarking with what propriety an incident hitherto unknown in this Country was conducted and likewise on the happy choice the Electors have made. No sooner was the Election of these Gentlemen ascertained than they were placed in a Phaeton and dragged through the principal streets by a number of their friends to Dillon's Hotel, amidst universal acclamations. It was particularly striking to observe that *astonished* satisfaction and *pleased* amazement, which was visible in the crowd, upon the uncommon sight of a Hogshead of Porter and every other kind of liquor exposed for the general benefit; national prejudice seemed to yield to its happy influence and join in the common *Huzza*: the Canadian began to entertain a more favourable idea of the *Chambre* from this agreeable prelude, and to think it might be a very beneficial thing for their country and *themselves* if attended with frequent elections of this kind."

"OBSERVATOR."

In later years, John Richardson, well remembered through his benefactions to the Montreal General Hospital, which has published his biography, became hostile to the French element and was termed by Senator Chapais the leader of the opposition.

His running mate, Joseph Frobisher, had been the first to penetrate the North West as far as the Churchill River. He returned from that country in 1776, having secured what was in those days counted a competent fortune, in his two years' transactions with the Indians. His residence, *Beaver Hall*, was situated east of Belmont street, where Beaver Hall Hill now lies. At the foot of his property was Frobisher street (afterwards Radegonde), which ended at Bonaventure street (now St. James), the two portions of the street being connected by a bridge over St. Martin's Creek, now Craig street. It was burnt in 1847, but gave its name to Beaver Hall Hill. McGill University has a number of papers coming from Joseph Frobisher, including a diary covering a period of many years, the most important statement in which is the mention of the place where the author dined on that particular day.

Montreal County was represented by Joseph Papineau, father of the great Papineau, a notary and surveyor, who was instrumental in securing the opening of what was called after him Papineau Road, and James Walker, a lawyer, who soon became a judge and died at the early age of 44.

In the West Ward, James Dunlop and Alexander Auldjo were defeated by James McGill and Jean Baptiste Durocher. James McGill, of course, is a familiar name; Jean Baptiste Durocher was less prominent. He was a merchant, a large real estate owner (Durocher Street was named after him) and a member of the *Club of the Twelve Apostles*, a prominent social organization of the day.

How the representatives of Montreal City behaved during the first Parliament may be seen by the following extract from the *Montreal Gazette* of June 20th, 1796.

"Montreal, 10th June 1796.

"At a numerous meeting of Artificers of this City held at Dillon's Hotel, Mr. Perrault in the chair.

"It was unanimously resolved that the following address be presented to the Representatives of this City in the late Provincial Parliament.

"Gentlemen,

"We might be justly accused of want of discernment, as well as of gratitude, were we any longer to withhold the public acknowledgment of the very great, meritorious, and unremitting services which you have rendered this Province in general, and the City of Montreal in particular; as their Representatives in Parliament, leaving a glorious example of disinterested conduct (as a copy) worthy of imitation by your successors, in that important station, if we are so unfortunate, as to be deprived of your future Services.

"Accept then, Gentlemen, of our sincere and hearty thanks; while we beg leave to assure you, that sentiments of esteem for your Persons and Virtue, are indelibly stamp'd on our minds, as will (till memory fails) make us look back with pleasure, and reflect with an honest pride; that by our *Votes*, we gave to the first Parliament of Canada, some of its brightest ornaments.

"To the Hon. JAMES MCGILL ESQ.

JOSEPH FROBISHER	} Esquires."
J. B. DUROCHER	
JOHN RICHARDSON	

"It was further unanimously resolved that Mr. Amable Perrault, Mr. Duncan Fisher, Mr. Etienne Roy, Ephraim Sandford, Mr. Pierre Sauvage and Thomas Prior, be appointed to present this Address.

"And it was further resolved that the transactions of this Meeting be inserted in the Public Papers of this District."

The answer was in the following terms:

"To the *Mechanics* of the City and Town of Montreal.

"Gentlemen,

"Permit us to express the high and grateful sense we entertain of your very flattering approbation of our conduct as Representatives of this City in the first Provincial Parliament of Lower Canada.

"Placed in a situation to us new and arduous, we cannot but regret that our abilities were not equal to our inclinations: It is however a matter of pleasing reflexion, that those who may succeed us will have advantages which we could not

"possess; and the liberal opinion you are pleased to entertain of our attempts in the service of the Public, cannot fail to call forth their zeal and exertions.

"Fully sensible of the honor attendant on representing a body so respectable as the Electors of this City, it is with a regret not to be described, that we find indispensable personal considerations impose upon us the necessity of declining to offer ourselves as Candidates at the approaching General Election.

"We have the honor to be with the utmost respect,

"*Gentlemen,*

"Your most obedient and very humble Servants.

(Signed) JAMES MCGILL
JOHN RICHARDSON
J. B. DUROCHER
JOSEPH FROBISHER

"Montreal, 11th June 1796."

A dinner of thanks was tendered to them at one of the taverns.

One word as to the defeated candidates of 1792. James Dunlop, to use the words of the Rev. Robert Campbell, in his history of St. Gabriel Street Church, "was one of Montreal's earliest merchant princes." When he died, in 1815, he had, the *Herald* said, "amassed a fortune supposed to be greater than ever was acquired by any individual in this country." He was a dealer in liquor, groceries and dry goods.

Alexander Auldjo, his unsuccessful running mate, was the senior partner of Auldjo and Maitland, a firm of general merchants, "dealing not only," says Rev. Mr. Campbell, "in dry goods, but also in ales and spirits." His grandson, John, was the first Englishman to make the ascent of Mont Blanc. A granddaughter of George Auldjo, brother of Alexander, Eweretta Prentice, acquired fame on the English stage under the name of Miss Lawrence, which she took out of love for the St. Lawrence River. Alexander Auldjo was elected in 1796.

The members elected for Quebec city were: for the Upper Town, William Grant and Jean Antoine Panet, who apparently defeated George Allsopp and Louis Germain, *filis*; for the Lower town, Robert Lester (the only Irish Catholic in the House), and John Young.

William Grant was accused of having distributed, not only cockades, but rum to his electors, and his election was contested, which is the reason why his name, which had been mentioned in connection with the speakership, was subsequently replaced by that of James McGill. His running mate, Jean Antoine Panet, advocate, for many years later Speaker of the Assembly, was, on the contrary, extremely scrupulous in election matters. Instead of spending money before the election he waited until he was elected, and then announced that he intended to distribute one hundred gold pounds amongst the poor, without distinction. The *Quebec Gazette* remarked: "May all the sums spent in elections never be put to a worse use." The distribution of the money was made through the Dean of the Quebec Bar, in the Court House, before two judges, several ministers of the church and many citizens, after advertisements in different languages (how many?) at the church doors and from the pulpit of the Parish church. Two hundred and thirty-four poor present received five

shillings each; the amount being slightly increased in cases of special need. The remainder was distributed by priests and clergymen, and amongst the prisoners by Magistrate Taylor. The report adds that "the poor appeared to be satisfied and to appreciate the wise distribution of the gift, begging the magistrates to present their thanks to the donor."

Panet was re-elected in 1796, and that time, not only did he persist in his election methods, but he induced his running mate, Grant, to adopt them. He wrote the *Quebec Gazette* as follows: "Immediately after the election, I said that I had been and was much opposed to the giving of rum and cockades at election, but I asked to be permitted to give \$100 to the first girl residing in the Upper Town of Quebec who will have her banns published in one of our churches and will be married therein. Then William Grant, Esq., elected, stated in the same terms that he would give \$100 to the second girl who will be published and married."

How long these gentlemen kept up their benefactions is hard to say.

The election in the Lower Town had taken place on June 11th. The day after the election an unfortunate voter sent to the *Quebec Gazette* the following advertisement:

"LOST.—YESTERDAY morning in the Poll Room a metal Watch (makers name "Sanderson No. 1749) any person to whose cloath it might have been entangled in the "croud or into whose hands it may have fallen since, that will return the same to "Mr. Neilson the printer hereof shall have one Guinea reward and no Questions "asked.—Quebec 12 June 1792. N.B. All persons to whom the above may be offered "for sale are desired to stop it and give information to the printer."

Nowadays, a newspaper publishing these last words would be amenable to a fine under the Criminal Code.

The most interesting episode of the election, or at least the only one which was fully reported, took place in Quebec County, at Charlesbourg. The voting began on the twenty-fifth of June and continued for two days. There were, for the two seats, three candidates still in the running: Louis de Salaberry, father of the hero of Chateauguay, David Lynd, and Berthelot d'Artigny, Dean of the Bar. Prince Edward, Duke of Kent, afterwards father of Queen Victoria, was a resident, if not a voter, of the county, and he was favourable to the first two candidates, Salaberry being a particular friend of his. During the third day, the vote stood as follows:

Salaberry.....	515
Lynd.....	462
Berthelot.....	436

Berthelot claimed that votes had been received from men who were neither land owners nor naturalized. However, 62 voters favourable to Berthelot, were preparing to give their suffrages when the poll was closed and the hustings demolished. As to what ensued let us quote the *Quebec Gazette*:

"At Charlesbourg, on closing the poll of the county election, on Wednesday "last, the 27th of June, a riot, at taking down the place of the hustings, was upon the "point of bursting out into open violence. The instant *Prince Edward* discovered the "exasperated crowd, he came up and took a position to be seen by *all*, and gave the "command for silence."

"Can there be (said his royal highness in pure french, and with a tone of affection and authority) a man among you that does not take the king to be father of his people?"

"His words were answered with huzzas and cheers of *God save the King*."

"Is there a man among you (added the Prince) that does not look upon the New Constitution as the best possible one, both for the subject and the government?"

"The huzzas were repeated."

"Part then in peace (concluded his royal highness) I urge you to unanimity and concord. Let me hear no more of the odious distinction *English* and *French*. You are all his Britannic Majesty's Canadian subjects."

"The tumult ceased, *menace*, *rage* and *fury* gave place to language of admiration and applause."

"May the laconic and effectual oratory of *Prince Edward*, and the wisdom of his council, be universally attended to and everlastingly remembered."—*Quebec Gazette*, 5th July 1792.

However, Berthelot lodged a notarial protest against the election. But Salaberry, having been elected for two counties, Quebec and Dorchester, was ordered by the Assembly to make his option and selected the latter. Berthelot was elected by acclamation in Quebec County and distributed 1,200 livres amongst the poor of the five parishes of his county.

M. Berthelot was vindictive. One of his first steps as a member of the Assembly was to contest Lynd's election. He would not have given up the fight had the petitioners not desisted from their proceedings.

Berthelot's vindictiveness extended, naturally enough, to Prince Edward. One day in November, 1793, however, His Royal Highness declared to him that he had forgotten the Charlesbourg incident. One of those present, quoting the Prince's words, gives them as an example of magnanimity!

Seven or eight elections were contested, the contestations being referred not to the courts, as nowadays, but to the Assembly itself. All were eventually dropped. One of them, that of M. de La Valtrie, alleged that he was not naturalized, having left Canada for a few years after the cession of the country. This objection, which applied to several members and Legislative Councillors, was also dropped.

The only by-election, besides that of Quebec County, was that of Leinster (l'Assomption-Joliette). Larocque, the member-elect, was the only one who thanked his electors through the *Quebec Gazette*. He had promised to defend their interests even at the peril of his life; unfortunately, he died before the opening of Parliament. George McBeath, a wealthy fur trader, was elected in his stead, at the instigation of the Attorney General, as we have seen above. One of his partisans of French descent delivered an address which was published in the *Quebec Gazette* under the heading *A Conquered Canadian*. McBeath's election was contested, but the contestation was not proceeded with.

* * * *

These are the main incidents of our first parliamentary election. It might be interesting to note the resemblances and the differences between what happened in those days and what happens in ours. But the task must be performed by someone else.

APPENDIX

INDENTURE CERTIFYING THE ELECTION TO THE FIRST PARLIAMENT OF LOWER CANADA OF PIERRE GUEROUT AND BENJAMIN CHERRIER, ESQUIRES, REPRESENTATIVES FOR THE COUNTY OF RICHELIEU*

THIS INDENTURE made the Twenty-first day of June in the year of Our Lord, One thousand seven hundred and ninety two, and in the Thirty second Year of the Reign of Our Sovereign Lord George the Third of Great Britain, France and Ireland, King, Defender of the Faith, etc. BETWEEN Louis Bonnet, Esquire, Returning Officer of the County of Richelieu, in the Province of Lower Canada, on the One Part, and Louis Bourdages, Pierre Grisé, Antoine Massé, Nicholas Meneclyer and Joseph Cartier, on the other Part, Witnesseth, that in pursuance of His Majesty's Writ bearing Teste the Twenty-fourth day of May at the Castle of St. Lewis in the City of Quebec in the Province aforesaid, after Proclamation thereof made on the first day of June past according to the Tenor of the said Writ, We the said Louis Bourdages, Pierre Grisé, Antoine Massé, Nicolas Meneclyer and Joseph Cartier, Freeholders & Residents of the said County present on the day of the date of this Indenture at St. Ours, in the said County of Richelieu, in full Court have chosen Pierre Guerout and Benjamin Cherrier, Esquires, to be Members & Representatives to serve for the said County in the Assembly to be held the Tenth day of July at Quebec, and by these presents have given and do give unto the said Pierre Guerout and Benjamin Cherrier, Esquires, full and sufficient powers for Us and the Commonalty of the said County distinctly from Us to do and consent to such matters which at the said Assembly, by the Common Counsel of the said Province shall happen to be by the favour of God.—ORDAINED. IN WITNESS whereof the said parties to these presents have interchangeably Set their hands & seals the day and year above written.

Signed, Sealed and Delivered
in presence of

LS. MARCHAND

HENRY LAPARRE

L. BONNET

Officier Rapporteur.

* This is the only document of its kind known today. The original is the property of the great-grandson of Pierre Guérout, Colonel William Wood, F.R.S.C., of Quebec, through whose kindness it is here reproduced.



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